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RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Written statement submitted by Pax Christi International, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[16 February 1993]

THE SITUATION OF THE ROMANIAN UNIATE CHURCH (GREEK CATHOLIC CHURCH OF ROMANIA)

I. Considerations regarding the history of the Romanian Uniate Church

1. The formation of the Romanian people in the Carpathian-Danubian-Pontic area began when the area was conquered by the Roman armies in the reign of Emperor Trajan, in 106 A.D. and may be considered to have been completed in about the seventh century A.D. Clearly, then, the form of Christianization experienced by this people was Latin, with all that this implies for the rite, language, traditions and dogmas that characterize it.

2. The Byzantine rite was not introduced until after the Christianization of the Bulgars, through the strong influence exercised by them in the area south of the Danube. This process began in the ninth century, parallel to the

Slavonization of the Romanian Church and its hierarchy, through the imposition of the Slavonic tongue, and had the effect of cutting off a Latin-speaking Daco-Roman people - the Romanian people - from the other Latin peoples in the West with whom, until then, they had maintained good relations, including at the spiritual and religious levels.

3. The Romanians of Transylvania, between the end of the seventeenth century and the beginning of the eighteenth, were placed in a very difficult situation. Although they formed a majority in their own country, they were subject to the Hapsburg Empire which only tolerated them, allowing them to accede to power and to share in the decisions taken in the Hungarian Diet only on the condition that they became Magyarized or converted to one of the recognized faiths, i.e. Calvinism, Lutheranism or Catholicism.

4. For domestic reasons, from a fear of losing their identity, the Romanians of Transylvania (Orthodox since the schism of 1054) realized that they had to choose between Orthodoxy, which would not give them access to culture or to power but, on the other hand, was slowly leading to their Slavonization, and Catholicism in the form of the Byzantine rite which was a gateway for them to power, culture and education. Opting for the second alternative, the Romanian Uniate Church was founded in 1700 by the decision of 38 archpriests and the bishop Atanasie Anghel. It developed accordingly, and in 1948 comprised 5 dioceses and about 2 million adherents.

II. Situation under the Communist regime

5. Upon the establishment of the Communist regime in Romania, the Romanian Uniate Church and its members were immediately considered to be spies in the service of a foreign power, the Vatican. It was outlawed; its bishops together with a large number of its priests, monks and adherents were imprisoned, some for 17 years (from 1947 to 1964); torture and ill-treatment thus accounted for the deaths of many of them.

6. After the general amnesty of 1964, the Romanian Uniate Church went underground and held clandestine masses. Bishops, some of whom were appointed secretly by the Holy See, priests and the followers of the Greek Catholic religion were still hounded and persecuted by Ceausescu's "Securitate" forces.

III. The situation after December 1989

7. After the December 1989 revolution, the Government of the National Salvation Front, by Decrees 9/30 December 1989 and 126/April 1990, recognized the Romanian Uniate Church and decided to restore to it the property seized by the State in 1948. Unfortunately, Decree 126/April 1990 has not so far been put into effect and, with the exception of a few cases, property has not been returned.

8. The position of the Orthodox Church continues to be the major obstacle to solving this serious problem since it refuses categorically to return this (Greek Catholic) property entrusted to it by the 1948 Communist regime. Despite numerous attempts by the Romanian Uniate Church, any dialogue with the Orthodox hierarchy has proved impossible, firstly because of the material aspect, and secondly because of the Orthodox Church's ambiguous relationship

with the present neo-Communist regime established by President Ion Iliescu, whose presidential mandate was renewed by the October 1992 elections.

9. Mention should also be made of the serious violations of the right to practice the Greek Catholic religion suffered by priests and lay members of the Romanian Uniate Church. Priests have been assaulted (attacked, beaten, clubbed and threatened with death). The following, very incomplete list, gives just a few examples:

(a) Violence against Father Petru Moldovan in Sàulia de Cîmpie, on 11 November 1990 (diocese of Alba Iulia-Fagaras);

(b) Conflicts in Baia-Mare, in October-November 1990 (diocese of Maramures);

(c) Violence against Father Christian Albu and members of the Greek Catholic congregation in Làpusel, on 24 December 1990 (diocese of Maramures);

(d) Violence against Father Anton Gotia in Filea de Jos, on 2 January 1991 (diocese of Cluj-Gherla);

(e) In February 1991, the Orthodox bishop Irineu, Pop-Bistriteanu, cursed Christians who did not pray in accordance with Orthodox tradition;

(f) Violence against Father Pîrvu Marius in Poarta, in May 1991 (diocese of Alba Iulia-Fagaras);

(g) Violence against Father Zàgreanu in Visuia, on 6 January 1992 (diocese of Cluj-Gherla);

(h) Violence against Father Pius Miclàus, in Filea, on 8 January 1992 (diocese of Cluj-Gherla);

(i) Devastation of the Greek Catholic chapel built in the house of Eugenia Dîrjan, in Icold, on 12 January 1992 (diocese of Cluj-Gherla);

(j) Devastation of the Greek Catholic chapel built in a school in Fizesu Gherlii, in January 1992 (diocese of Cluj-Gherla).

Orthodox priests regularly refuse burials in cemeteries if the funeral service takes place in accordance with the Greek Catholic rite.

10. Early in 1992, at the time of the census to determine the religious composition of the population, a great deal of pressure was exercised in several places to prevent believers from declaring themselves to be of the Greek Catholic religion. As a result of this, the census findings were of course considerably distorted and failed to reflect the full importance of the Romanian Uniate Church.

11. A substantial file has been put together which can be consulted.

12. These facts attest to the fundamentalism of the Orthodox Church, which is in no way inclined to help its Greek Catholic brothers and sisters and which

holds to the view that there can be no national unity without religious unity. "It presents itself as the national Church, in other words, the sole representative of Romanian spirituality, with responsibility for safeguarding the unity and integrity of the nation" (see the Pax Christi-Netherlands report, April 1991). This entire situation as described is consonant with the report by Mr. Joseph Voyame, Special Rapporteur for Romania to the United Nations Commission on Human Rights (E/CN.4/1992/28).

IV. Appeal to the forty-ninth session of the Commission on Human Rights

13. In the light of the foregoing, an urgent appeal is addressed to the Commission on Human Rights at its forty-ninth session for it to make representations to the civil and (Orthodox) religious authorities to have the Romanian Uniate Church's right to freedom of religion fully recognized in accordance with article 18 of the Universal Declaration of Human Rights. There are three conditions attaching to this right:

(a) Halting of physical and moral violence against clergy and lay members of the Romanian Uniate Church;

(b) Recognition of the Greek Catholic religion by the Romanian Orthodox Church;

(c) Restitution of the assets seized by the State in 1948, pursuant to Decree-Law 126 of 24 April 1990.

14. The Romanian Uniate Church, through the medium of Pax Christi International, thanks the members of the United Nations Commission on Human Rights at its forty-ninth session for giving attention to this statement. In a spirit of profound hope, it looks forward to the day when its rights will at last be recognized after 42 years of martyrdom and clandestinity and 3 years of continual appeals to the civil and Orthodox religious authorities of Romania.